IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

AS.No. 199 of 1996()

OS.570/1993 of ADL.SUB COURT, THALASSERY

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APPELLANTS: DEFENDANTS 4 AND 5:

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1. KODAKKATTERI KARTHIYANI AMMA, D/O.LATE KRISHNAN NAMBIAR, AGED 61, NO OCCUPATION, MAYYIL AMSOM DESOM, P.O.MAYYIL, KANNUR DISTRICT.

2. KODAKKATTERI SHARADA AMMA, D/O.LATE KRISHNAN NAMBIAR AGED 58 YEARS, NO OCCUPATION, MAYYIL AMSOM DESOM, P.O.MAYYIL, KANNUR.

BY ADV. SRI.V.N.RAMESAN NAMBEESAN

RESPONDENTS: PLAINTIFFS AND DEFENDANTS 1 TO 3 AND SUPPLEMENTAL DEFENDANTS 6 TO 9

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1. KODAKKATTERI PUTHIYA VEETTIL KAMALAKSHI, D/O.LATE KRISHNAN NAMBIAR, AGED 61, NO OCCUPATION, MAYYIL AMSOM, DESOM, P.O., MAYYIL, KANNUR DISTRICT.

2. KADAKKATTERI PUTHIYA VEETTIL LAKSHMI AMMA, W/O.LATE KRISHNAN NAMBIAR, AGED 88 YEARS, NO OCCUPATION, MAYYIL AMSOM DESOM, P.O., MAYYIL, KANNUR DISTRICT.

3. KODAKKATTERI DAMODARAN NAMBIAR, S/O.LATER KRISHNAN NAMBIAR, AGED 70 YEARS, NO OCCUPATION, MAYYIL AMSOM, DESOM, P.O. MAYYIL, KANNUR DISTRICT.

4. KODAKKATTERI PUTHIYAVEETTIL GOVINDAN NAMBIAR, S/O.LATE KRISHNAN NAMBIAR, AGED 68 YEARS, NO OCCUPATION, MAYYIL AMSOM, DESOM, P.O.MAYYIL, KANNUR DISTRICT.

5. AYALAT KUTTIAT LAKSHMI AMMA, D/O.KALLIANI, 57 YEARS, NO OCCUPATION, RESIDING AT KURUNTHATTIL HOUSE, NARATH AMSOM DESOM.

6. AYALAT DAMODARAN, S/O.KALLIANI, AGED 46 YEARS, AGRICULTURIST, RESIDING AT PAYAM AMSOM, DESOM, P.O. PAYAM EAST.

7. AYALAT KUTTIAT BHANUMATHI AMMA, D/O.KALLIANI, AGED 41 YEARS, NO OCCUPATION, RESIDING AT DO. DO.

8. PULLAYIKUDI RAJAN, S/O.LATE NARAYANAN NAMBIAR, AGED 38 YEARS, AGRICULTURIST, RESIDING AT DO. DO.

BY ADV. SRI.E.V.NAYANAR,P.V.MADHAVAN NAMBIAR
SRI.V.R.VENKATAKRISHNAN,N.C.JOSEPH

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

A.S.No.199 of 1996

Dated this the 26th September, 2007.

J U D G M E N T

This appeal arise from the decree and judgment passed by the Addl. Sub Court, Thalassery, in O.S.No.570/1993. From the very same judgment, 2nd defendant filed A.S.No.178/1996 before this Court. It was considered by a Division Bench. When that appeal was heard, the learned counsel for the appellant in that appeal submitted that he was not pressing the appeal. The learned counsel appearing for the respondents in this case submits that in fact, the matter has been settled out of Court, and that was the reason, why the connected appeal was not pressed.

In view of the dismissal of the connected appeal from the very same judgment as not pressed, this appeal is also dismissed as settled out of Court. No costs.

K.PADMANABHAN NAIR,
JUDGE

nj.

K.PADMANABHAN NAIR, J.

A.S.No.199 of 1996

J U D G M E N T

Dated: 26th September, 2007.